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Question of the Falkland Islands (Malvinas)

Letter dated 31 January 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith the "Special declaration on the question of the Malvinas Islands", adopted by the Presidents of the States parties of the Southern Common Market (MERCOSUR) and associated States on 7 December 2012, in Brasilia (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 45, concerning the question of the Malvinas Islands.

(*Signed*) María Cristina **Perceval**
Ambassador
Permanent Representative

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Annex to the letter dated 31 January 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

Special declaration on the question of the Malvinas Islands

The Presidents of the States parties of MERCOSUR and associated States, aware of the announcement that a referendum is to be held in the Malvinas Islands, expressly state that this in no way changes the essence of the question of the Malvinas Islands and that its possible outcome will not end the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

The origins and colonial nature of this dispute cannot be ignored; nor can the many United Nations resolutions concerning the question of the Malvinas Islands, which place it within the framework of General Assembly resolution 1514 (XV) and clearly establish the means of resolving it, namely, the resumption of negotiations between Argentina and the United Kingdom, bearing in mind the interests of the Islands' inhabitants. Also applicable in this context is General Assembly resolution 31/49, which calls upon the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands are going through the process related to the sovereignty dispute.

The States parties of MERCOSUR and associated States stress that the United Nations General Assembly, in 1985, rejected by a large majority the incorporation of the principle of self-determination in the resolution concerning the question of the Malvinas Islands.

The Presidents of the States parties of MERCOSUR and associated States reiterate their strong support for the legitimate rights of the Argentine Republic in the dispute with the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and reaffirm the region's abiding interest in an agreement by the United Kingdom of Great Britain and Northern Ireland to resume negotiations with the Argentine Republic in order to find, as soon as possible, a peaceful and definitive solution to this dispute, in accordance with the guidelines of the international community and the relevant resolutions and declarations of the United Nations and the Organization of American States.

Brasilia, 7 December 2012